

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/25/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

C.S. and C.S.1, on behalf of themselves and on
behalf of their child, Y.S.,

Plaintiffs,

-against-

NEW YORK CITY DEPARTMENT OF
EDUCATION, NEW YORK CITY BOARD OF
EDUCATION, CHANCELLOR MEISHA
PORTER, in her official capacity,

Defendant.

1:21-cv-07927-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The initial pre-trial conference in this matter has been adjourned three times at the parties' request. [ECF Nos. 18, 20, 22]. In the Court's latest order adjourning the initial pre-trial conference, the Court advised the parties that it would not adjourn the initial pre-trial conference again. [ECF No. 22]. The Court admonished the parties that, one week before the initial pre-trial conference, the parties should either file a letter proposing a briefing schedule or a Proposed Case Management Plan and Scheduling Order and joint letter, as required by this Court's Individual Rules of Practice and the Court's Order scheduling the initial pre-trial conference at ECF No. 15. [ECF No. 22].

The parties have now filed a joint letter in which they advise the Court that there is a dispute over whether discovery in this case will be necessary. [ECF No. 23]. Accordingly, they did not file a Proposed Case Management Plan and Scheduling Order. The parties also request a fourth adjournment of the initial pre-trial conference. [ECF No. 23].

IT IS HEREBY ORDERED that the parties submit a Proposed Case Management Plan and Scheduling Order by end of day today in compliance with this Court's individual rules. The

Court will consider the parties' discovery dispute in the interim and the parties should be prepared to discuss the dispute at the initial pre-trial conference.

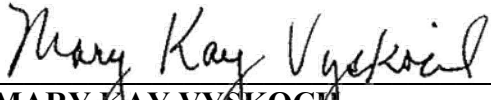
IT IS FURTHER ORDERED that the parties' request to adjourn the initial pre-trial conference for a fourth time is DENIED. The parties have known about this conference since April and the Court put the parties on notice that it would not adjourn the conference again. [ECF No. 22].

IT IS FURTHER ORDERED that the parties' request for a referral to a magistrate judge for settlement purposes is GRANTED. The Court will issue a separate order referring them to a magistrate judge for settlement purposes.

FAILURE TO COMPLY WITH THIS ORDER WILL RESULT IN SANCTIONS.
THE COURT WILL NOT ADJOURN THIS CONFERENCE AGAIN BECAUSE OF THE
PARTIES' FAILURE TO COMPLY WITH THE COURT'S ORDERS.

SO ORDERED.

Date: May 25, 2022
New York, NY



MARY KAY VYSKOCIL
United States District Judge